

SENATE BILL 1446

By Akbari

AN ACT to amend Tennessee Code Annotated, Title 38,
Chapter 8, relative to hiring of law enforcement
officers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. This act is known and may be cited as the "Public Safety Through Hiring Act".

SECTION 2. The purpose of this act is to prevent the hiring of police officers with disciplinary records in order to address police brutality.

SECTION 3. Tennessee Code Annotated, Section 38-8-106, is amended by designating the existing language as subsection (a) and adding the following as a new subsection (b):

(1) A law enforcement agency shall not hire any person as a police officer who was previously employed as a police officer by any agency or in any other jurisdiction and who:

(A) Was fired due to past or ongoing disciplinary infractions, malfeasance, or during the process of a misconduct investigation, or

(B) Resigned or retired due to past or ongoing disciplinary infractions, malfeasance, or during the process of a misconduct investigation.

(2) A law enforcement agency with knowledge that a former police officer of the agency is an applicant for the position of police officer with another law enforcement agency shall inform the other agency of the officer's dismissal, resignation, or retirement, if the officer:

(A) Was dismissed for malfeasance or other serious misconduct; or

(B) Resigned or retired from the officer's position while under investigation for malfeasance or other serious misconduct.

(3) This subsection (b) does not apply to any police officer who is exonerated of all malfeasance or other serious misconduct allegations against the officer after the completion of a misconduct investigation or disciplinary hearing undertaken by the law enforcement agency that employed the police officer at the time the alleged conduct occurred or the allegation was made.

SECTION 4. This act takes effect July 1, 2021, the public welfare requiring it.